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|  Missouri Department of Natural Resources Administrative Policies and Procedures | | |
| Chapter 1 Employee Relations Discipline Policy | | |
| Discipline Procedures | Effective date | Revised |
| Number: 1.08-01 | March 29, 2002 | January 27, 2014 |

REFERENCES

State Personnel Law (Merit System) Chapter 36, RSMo

Administrative Hearing Commission Section 621.075, RSMo

Separation, Suspension and Demotion: 1 CSR 20-3.070

Appeals: 1 CSR 20-4.010

Related DNR policies

Discipline Policy 1.08

Conduct and Ethics 1.01

Affirmative Action and Employee Relations Policy 1.02

Employee Assistance Program Procedures 1.02-08

Employee Records 1.03

DEFINITIONS


Appointing authority: An officer having power to make appointments for employment or other personnel related issues or transactions. In the department the appointing authority to direct personnel actions to is the Human Resources Director.

Other personnel files: Any record kept by an employee's supervisor, program and/or division as documentation.

Official personnel file: The file maintained by the Human Resources Program that is the official record concerning employment events or actions for an employee of the department.

Administrative Hearing Commission: The Administrative Hearing Commission is a neutral, independent, administrative tribunal that conducts hearings and renders decisions on appeals made by employees for personnel related actions.

Regular status employee: An employee who has successfully completed an original probationary period.

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Supervisor: Individual who directly supervises the work of another employee such as approving time sheets or leave requests, conducting performance appraisals and/or recommending disciplinary action.

Triad: The department's team reviewing certain personnel actions for equity, consistency, legality and appropriateness comprised of the Human Resources Director, Employee Relations Director and the department's Legal Counsel. Personnel actions typically reviewed by the Triad include but are not limited to discipline involving employee transfers, notices of unacceptable conduct, suspension without pay, demotion for cause and dismissals.

Witness: Any employee (usually a supervisor) who signs their name to a letter concerning disciplinary action, to attest that the letter is authentic and that the terms of the letter were discussed with the employee.


GENERAL PROVISIONS

Supervisors should ensure that appropriate documentation is made for all disciplinary actions and that any action is based on the facts of the situation. Supervisors are responsible for undertaking appropriate factual investigations before any discipline is taken. Supervisors are strongly encouraged to utilize the attached Employee Incident Report (Attachment 1).

Supervisors are encouraged to work with their chain of command and the Human Resources Program and/or Office of Employee Relations for guidance in dealing with situations that may warrant further investigation. Instances such as these will include but are not limited to: sexual harassment, unlawful discrimination, retaliation, workplace violence, and other suspected or alleged crimes.

As situations warrant, an employee may be placed on administrative leave with pay at the discretion of the appointing authority pending an investigation, fitness for duty documentation or other extenuating circumstances.

Supervisors can encourage or recommend staff members seek out the Employee Assistance Program (EAP) voluntarily. (See Policy 1.02-08) Mandatory EAP referrals for serious matters should be requested by the supervisor through their chain of command to the Employee Relations Office.

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Employees are responsible for ensuring confidentiality of personnel-related investigations and/or disciplinary actions, while also ensuring an appropriate degree of information is shared with those who have a business need or safety reason to know. Failure to maintain confidentiality, as appropriate may result in disciplinary action.

These procedures outline the usual steps taken for discipline including review and approval of the actions and the needed documentation. It is assumed that, at various points in the review, there will be back and forth discussions between supervisors, managers and Human Resources on how to best handle an individual situation. There may be instances in which employees receive a verbal or written reprimand and/or letter of caution prior to any suspension/demotion/dismissal, except in serious, unusual or extraordinary circumstances.

The supervisor must follow up with the employee to ensure the employee receives appropriate guidance and feedback so conduct improves. At a minimum, the follow up includes reviewing progress on the corrective action(s) and answering further questions or discussing other circumstances that may be affecting the employee's behavior. Documenting periodic meetings with the employee is recommended.


Attendance Plans

If at any time when a pattern or frequency of absenteeism develops, an employee has not been able to maintain the sufficient amount of leave balances as requested, or an employee is experiencing excessive tardiness, employees will be placed on an attendance plan. An attendance plan is typically for 90 days and can be extended an additional 90 days or beyond until the employee increases their leave balances as requested and reports for work on a regular basis and in a timely manner. If at any time during the attendance plan, one or more expectations are not being met, discipline may be imposed. According to the Conduct and Ethics Policy (1.01), divisions, programs, etc. may set minimum leave balances for their staff.

The supervisor drafts the attendance plan and sends through their chain of command and Human Resources for approval. Attachment 2 contains a template for an attendance plan.

Verbal Reprimand

The supervisor, with their next level manager, if desired, privately and confidentially discusses with the employee the specific concern. Supervisors should avoid dealing in generalities, provide specific examples of the unacceptable conduct and strive to examine all the necessary facts to arrive at a satisfactory solution. The employee should generally be given an opportunity to express his or her perspective.

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This discussion should eliminate any misunderstandings and clearly point the way to successful correction, including a definite and reasonable time frame for correction of the conduct.

The supervisor should document the verbal reprimand in his or her other personnel file. Upon request the employee may review and copy his/her other personnel file, in consultation with the supervisor.

Letter of Caution

Another option to formalize disciplinary action is to present the employee with a letter of caution. This is not a requirement and may be done at the discretion of the supervisor in consultation with the division director and Human Resources. If providing a letter of caution is deemed appropriate, the supervisor drafts the letter of caution and obtains division and Human Resources' approval to be signed by an appropriate manager prior to presentation to the employee. Attachment 3 contains a template for a letter of caution.


The supervisor, with their next level manager, discusses the letter of caution with the employee. The letter of caution is placed in the supervisor's other personnel file. There is no formal internal reconsideration or appeal process for the employee who is given a verbal reprimand or a letter of caution.

Written Reprimand

Another option to formalize a disciplinary action is a Written Reprimand. The supervisor prepares the written reprimand that clearly indicates the nature of the problem, the corrective action to be taken, and stresses the potential disciplinary actions that may be taken if adequate correction does not occur. Attachment 4 contains a draft letter of reprimand. The written reprimand, along with any desired supporting documentation, is forwarded through the appropriate chain of command to the division director for approval and signature, and to the Human Resources Program prior to presentation to the employee.

The supervisor, with their next level manager discusses the written reprimand with the employee. The employee or a witness in the meeting signs the written reprimand to indicate it was presented to the employee.

The letter of reprimand will be placed in the employee's official personnel file. There is no formal internal reconsideration or appeal process for the employee who is given a written reprimand.

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Notice of Unacceptable Conduct

Another option to formalize disciplinary action is a Notice of Unacceptable Conduct. According to 1 CSR 20-3.070, in the event of an instance of unacceptable conduct by an employee that in the judgment of the appointing authority does not warrant immediate suspension, dismissal or demotion, but requires a permanent record, the appointing authority may record such conduct in the employee's service history. This notice will become part of a permanent employee record, which will be filed with the Office of Administration, Division of Personnel, to be recorded in the employee's state service history record.

The supervisor drafts the notice of unacceptable conduct. Attachment 5 contains a template for the notice of unacceptable conduct.

The notice of unacceptable conduct with any desired supporting documentation is forwarded through the appropriate chain of command to the division director for concurrence. Once in concurrence, the division director forwards the notice of unacceptable conduct to the Human Resources Program.

The appointing authority, in consultation with the department's Triad, reviews and either approves or denies the recommendation for notice of unacceptable conduct. The appointing authority signs the notice of unacceptable conduct and returns the letter to the division director for delivery to the employee within ten (10) working days of approval of the action by Triad.


The Division Director or designee, and/or other appropriate manager presents the notice of unacceptable conduct to the employee. The employee or a witness in the meeting signs the notice of unacceptable conduct to indicate it was presented to the employee.

This letter will be placed in the employee's official personnel file. The appointing authority will forward a copy of the letter to the Office of Administration, Division of Personnel.

There is no formal internal reconsideration or appeal process for the employee who is given a notice of unacceptable conduct.

Suspension Without Pay or Demotion for Cause

Another option to formalize disciplinary action is suspension without pay or demotion for cause. The Code of State Regulations (1 CSR 20-3.070) outlines the provisions for suspension without pay and demotion for cause.

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No demotion for cause shall be made unless the employee to be demoted meets the minimum qualifications for the lower classification and the lower classification position must be vacant. A demotion for cause shall not be made if any employee in regular status in the lower class would be laid off by the action. If the demoted employee is in regular status, there is no probationary period in the lower classification position; however, the employee will need to demonstrate success in the new classification, or dismissal may be warranted.

The supervisor drafts the letter of suspension without pay or demotion for cause. Attachment 6 contains a template for the letter of suspension. Attachment 7 contains a template for the letter of demotion for cause.


The recommendation, with supporting documentation and the letter of suspension without pay or demotion for cause, is forwarded through the appropriate chain of command to the division director for concurrence. Once in concurrence, the division director forwards the recommendation and materials to the appointing authority.

The appointing authority, in consultation with the department's Triad, reviews and either approves or denies the recommendation, at the next scheduled meeting upon receipt of a complete packet of information from the division. If approved, the appointing authority contacts the Deputy Department Director or designee to set the date for the employee's opportunity to request reconsideration of the action. The date for this meeting is listed in the letter and the appointing authority signs the letter to the employee and returns the letter to the division director for delivery to the employee within ten (10) working days of approval of the action by Triad.

The division director or designee, and/or other appropriate manager discusses the suspension without pay or demotion for cause with the employee. The employee or a witness in the meeting signs the letter of demotion for cause or suspension to indicate it was presented to the employee. This letter is forwarded to the appointing authority.

This letter will be placed in the employee's official personnel file. The appointing authority will forward a copy of the letter of suspension without pay or demotion for cause to the Office of Administration, Division of Personnel.

Follow up by the supervisor is required to ensure the employee receives appropriate guidance, feedback and an opportunity to improve his or her conduct. The follow up includes reviewing progress on the corrective action(s); answering further questions or discussing other

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circumstances that may be affecting the employee's behavior. Documenting periodic meetings with the employee is strongly recommended.

Dismissal

Dismissal is typically considered after other disciplinary attempts have failed, or if circumstances warrant based on the severity of the conduct. An employee may also be dismissed due to performance deficiencies which were not satisfactorily addressed by the employee through the performance appraisal system (see Performance Management Policy 4.03).

The supervisor drafts the letter of dismissal. Attachment 8 contains a template for the letter of dismissal. The letter of dismissal with supporting documentation is forwarded through the appropriate chain of command to the division director for concurrence. Once in concurrence, the division director forwards the letter of dismissal and supporting documentation to the department's appointing authority.


The appointing authority, in consultation with the department's Triad, reviews and approves or denies the recommendation for dismissal. If the appointing authority approves the dismissal, the appointing authority contacts the Deputy Department Director or designee to set a date for the employee's opportunity to request reconsideration of the action. The date for this meeting is listed in the letter of dismissal. The appointing authority signs the letter dismissing the employee and returns the letter to the division director for delivery to the employee within ten (10) working days of approval of the action by Triad.

The Division Director or designee, and/or other appropriate manager present the letter of dismissal to the employee. If circumstances warrant, the letter of dismissal may be sent by certified mail to the employee. The employee or a witness in the meeting signs the letter of dismissal to indicate it was presented to the employee.

This letter will be placed in the employee's official personnel file. The appointing authority will forward a copy of the letter to the Office of Administration, Division of Personnel.

Opportunity to request reconsideration

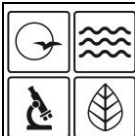
An employee has an opportunity to request reconsideration within the department for suspension without pay, demotion for cause and dismissal. This opportunity is for the employee to show reason why the action should not occur with the Deputy Department Director or designee. The

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employee may be given administrative leave with pay to allow for preparation and to meet with the Deputy Department Director or designee and/or for time for the Deputy Department Director or designee to make a determination. This is prior to the effective date of the disciplinary action.

Appeal

Employees have the right to appeal a suspension without pay, demotion for cause and dismissal to the Administrative Hearing Commission. The appeal must be made in writing, detail the basis for the appeal, and be addressed to the Administrative Hearing Commission as described in Section 621.075 RSMo. Human Resources will provide the necessary appeal forms to the employee at the time of the disciplinary action. An appeal must be made to the Administrative Hearing Commission within 30 days of the effective date of the discipline.



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Attachment 1 Employee Incident Report



MISSOURI DEPARTMENT OF NATURAL RESOURCES HUMAN RESOURCES PROGRAM EMPLOYEE INCIDENT REPORT

INSTRUCTIONS: SUPERVISOR COMPLETES TOP SECTION AND GIVES TO EMPLOYEE TO COMPLETE BOTTOM SECTION. Supervisor forwards completed copies and all other documentation to division management and Human Resources.

| | | | |
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| EMPLOYEE NAME | | JOB CLASSIFICATION | |
| DIVISION | PROGRAM / PARK | WORK COUNTY | |
| DATE OF INCIDENT | TIME OF INCIDENT | LOCATION WHERE INCIDENT OCCURRED | |
| DESCRIPTION OF INCIDENT (E.G., EXACT COMMENTS, OBSERVED ACTIONS) | | | |
| LIST THE POLICIES AND PROCEDURES VIOLATED | | | |
| DESCRIBE IMPACT OF THE INCIDENT | | | |
| HAS EMPLOYEE RECEIVED PREVIOUS CORRECTIVE MEASURES / DISCIPLINARY ACTION FOR SIMILAR CONDUCT? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, ATTACH COPIES OF ALL DOCUMENTATION | | | |
| WERE OTHER INDIVIDUALS INVOLVED? <input type="checkbox"/> YES <input type="checkbox"/> NO | | WERE THERE ANY WITNESSES? <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| If there were other individuals involved or witnesses, compile a listing of their names, how they were involved in the incident, and a way to contact them. Encourage them to provide a hand-written statement including a description of the incident, their signature and the date the statement was written. NOTE: Witness statements are confidential and will not be provided to anyone without a business related need to know, including the employee involved, unless under subpoena or through litigation. | | | |
| SUPERVISOR SIGNATURE | | TITLE | DATE |
| EMPLOYEE INSTRUCTIONS: COMPLETE THIS SECTION AND RETURN IT TO YOUR SUPERVISOR. | | | |
| IN YOUR OPINION, IS THE DESCRIPTION OF THE CONDUCT / INCIDENT ABOVE ACCURATE? <input type="checkbox"/> YES <input type="checkbox"/> NO IF NOT, PLEASE EXPLAIN THE INCIDENT (attach additional sheets if necessary) | | | |
| EMPLOYEE SIGNATURE | | DATE | |

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Attachment 2 Template for Attendance Plan

Items in italics are prompts or notes to answer. Each letter must be drafted to reflect individual circumstances.

MEMORANDUM

DATE:

TO: Employee Name
 Program Name

THROUGH: Program Director


FROM: Supervisor

SUBJECT: Attendance Plan

Effective immediately, you are being placed on a 90 day attendance plan. Please note that if you do not show immediate and sustained improvement of your attendance during this period, further action will be taken which may include termination of your employment.

You are to adhere to the following expectations outlined below:


- Your work hours are ____ a.m. until ____ p.m. - Monday through Friday with a __ minute lunch. You are to report to work when scheduled to do so, to be at your work station and logged in at the prescribed starting time and at the prescribed time following breaks and meal periods. You are to remain on duty until the end of your work shift.
- You are to notify your supervisor as far in advance as possible, but no later than within one-half hour of the beginning of your scheduled work day, whenever you are unable to report for work or when you know you will be late. You must speak directly to your immediate supervisor, _____, when calling in. If *he/she* is not available you must request to speak with _____ (*Program Director*) or _____ (*Program Secretary*). If you are unable to reach any of these individuals, you must leave a message with a telephone number where you can be reached. You must provide a reason for the

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absence or late arrival and an indication as to when you can be expected to report for work. Emails and text messages will not be allowed.

- You are required to follow established departmental policies and local office rules when requesting and using leave.
- If your supervisor or other management approves your use of annual leave or flex time, or the adjustment of your work schedule for tardiness on your part, this shall not constitute condoning of tardiness. You may still be subject to disciplinary action regardless of whether leave is charged or your work schedule has been adjusted.
- Any absence from duty without notification or authorization may be cause for disciplinary action as well as considered unauthorized leave without pay. Unauthorized Absences (coded as AWOL in the time reporting system) include, but are not limited to: failure to report to work; leaving work during work hours without supervisory knowledge or approval; arriving late for work; and, departing early from work.
- All schedule changes require the approval of your immediate supervisor before taking effect.
- All future sick leave absences require a doctor's note specific to each absence upon your return to work (unless the absence is covered under approved FMLA). Failure to produce a doctor's note for such absences (not covered under approved FMLA) will result in your leave being coded as Unauthorized Absence (AWOL).
- You are required to request Annual Leave no less than __ business days in advance. Should an unforeseen circumstance arise in which you need to take annual leave without prior notification, you are to contact your supervisor immediately to discuss the matter. Your supervisor will have the authority to determine whether or not your annual leave request will be approved based on the circumstances.
- You are to increase your annual leave and sick leave balances to a minimum of __ hours by _____ and a minimum of __ hours by _____ and to maintain a minimum balance of 40 hours at all times unless extenuating circumstances occur. You are also instructed to use the comments section of your time sheet whenever leave is taken to briefly describe the reason for your leave, tardiness or early departure from work.
- You will not be allowed to work from home or flex your time due to absences while on attendance plan.
- Immediate and sustained improvement of your attendance is expected.

The measures cited above are intended to increase your attendance at work and minimize unscheduled absences. The duties you perform are important elements of the overall mission of the Program and the Department. Excessive absences cause disruption in the otherwise smooth operation of the Program's integrated systems resulting in less than optimum delivery of service


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to our customers. Adherence to the measures cited above should result in sustained growth in your leave balances.

You are required to follow the expectations listed in this memo. Failure to comply with these expectations may result in further disciplinary action, up to and including dismissal. If you should have any questions about the contents of this memo, do not hesitate to contact me.

c: Human Resources Director
Employee Relations Director
Personnel File

Witnessed by _____ Date_____

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Attachment 3 Template for Letter of Caution

Items in italics are prompts or notes to answer. Each letter must be drafted to reflect individual circumstances.

DATE

Employee Name
Address

Dear Mr./Ms. _____:

This letter of caution is being issued due to your recent inappropriate behaviors regarding _____.

Describe the facts of the situations leading up to the letter of caution clearly indicating the nature of the problem or behavior.

Rule 1 CSR 20-3.070 (2) of the Rules of the Personnel Advisory Board and Personnel Division lists as causes for discipline:


List which policies and Merit System Regulations (found in the Code of State Regulations) were violated. It may also be useful to summarize how the employee's actions were in violation.

You are also in violation of the Department's Conduct and Ethics Policy (1.01) which states:

List which department policies were violated. It may also be useful to summarize how the employee's actions were in violation.

Expectations for Future Behavior

It is the department's expectation that you will adhere to all department policies and procedures and specifically follow the provisions of the conduct and ethics policy.

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You will follow the directives of your supervisor and others in your chain of command at all times.

Within three days of the receipt of this letter, you will read the Conduct and Ethics policy and sign and date an acknowledgement letter that will be placed in your official personnel file along with this letter.

Explain other behaviors that are expected of the employee in the future in response to this disciplinary action.

Failure to comply with these expectations will result in additional discipline up to and including dismissal from employment.

If you have any questions regarding this action, please let me know.

Sincerely,


DIVISION _____

Appropriate Manager

c: Deputy Division Director
Program Director, Regional Office Director or District Supervisor
Human Resources Director
Employee Relations Director
Personnel File

Witnessed by

Date

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Attachment 4 Template for Letter of Reprimand

Items in italics are prompts or notes to answer. Each letter must be drafted to reflect individual circumstances.

Dear :

Based on the recommendation of your supervisor _____ this official letter of reprimand is being issued. This reprimand reflects the _____ *problem or behavior (If previously discussed with employee, explain what occurred and when.)* Discipline is being issued at this level due to the nature of your behavior described below.

Summary of facts leading to a written reprimand

Describe the facts of the situations leading up to the written reprimand clearly indicating the nature of the problem or behavior.

Why a written reprimand is warranted

List which policies and Merit System Regulations (found in the Code of State Regulations) were violated. It may also be useful to summarize how the employee's actions were in violation.


You are also in violation of the Department's Conduct and Ethics Policy (1.01) which states:

List which department policies were violated. It may also be useful to summarize how the employee's actions were in violation.

Expectations for future behavior

It is the department's expectation that you will adhere to all department policies and procedures and specifically follow the provisions of the conduct and ethics policy.

You will follow the directives of your supervisor and others in your chain of command at all times.

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Within three days of the receipt of this letter, you will read the Conduct and Ethics policy and sign and date an acknowledgement letter that will be placed in your official personnel file along with this letter.

Explain other behaviors that are expected of the employee in the future in response to this disciplinary action.

Failure to comply with these expectations will result in additional disciplinary action, up to and including dismissal.

A copy of this letter will be placed in your official personnel file maintained by the Human Resources Program.


Sincerely,

DEPARTMENT OF NATURAL RESOURCES

Division Director

c: Supervisor
Program, Regional Office Director or District Supervisor
Human Resources Director
Employee Relations Director
Personnel File

Witnessed by _____ Date_____

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Attachment 5 Template for Notice of Unacceptable Conduct

Items in italics are prompts or notes to answer. Each letter must be drafted to reflect individual circumstances.

Dear:

In accordance with 1 CSR 20-3.070(3)(E) of the Rules of the Personnel Advisory Board and Personnel Division, you are hereby issued a notice of “Unacceptable Conduct”. This notice will become part of your permanent employee record which will be filed with the Office of Administration, Division of Personnel, to be recorded in your service history record.

Describe the facts of the situations leading up to the recommendation for notice of unacceptable conduct.

You have violated 1 CSR 20-3.070 (2) of the Rules of the Personnel Advisory Board and Division of Personnel including, but not limited to;

Explain what policies and Merit System Regulations (found in the Code of State Regulations) were violated and how the employee’s actions violated the policies or regulations.

Why a notice of unacceptable conduct is warranted


List which policies and Merit System Regulations (found in the Code of State Regulations) were violated. It may also be useful to summarize how the employee’s actions were in violation.

You are also in violation of the Department’s Conduct and Ethics Policy (1.01) which states:

List which department policies were violated. It may also be useful to summarize how the employee’s actions were in violation.

Expectations for future behavior

It is the department’s expectation that you will adhere to all department policies and procedures and specifically follow the provisions of the conduct and ethics policy.

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You will follow the directives of your supervisor and others in your chain of command at all times.

Within three days of the receipt of this letter, you will read the Conduct and Ethics policy and sign and date an acknowledgement letter that will be placed in your official personnel file along with this letter.

Explain other behaviors that are expected of the employee in the future in response to this disciplinary action.

Immediate and sustained improvement is expected to continue. Future conduct of the nature stated herein will result in further disciplinary action, up to and including dismissal.

If you have any questions please contact me at (573) 751-2518.

Sincerely,


DEPARTMENT OF NATURAL RESOURCES

Human Resources Director
Appointing Authority

c: Division Director
 Program Director
 Supervisor
 OA Director of Personnel
 Employee Relations Director
 Personnel File

This notice of unacceptable conduct was hand delivered to _____ by ____ on _____

Witnessed by _____ Date _____

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Attachment 6 Template for Letter of Suspension without Pay

Items in italics are prompts or notes to answer. Each letter must be drafted to reflect individual circumstances.

Dear :

Based on the recommendation of your supervisor _____ and with the concurrence of your Division Director _____ you are being issued this official letter of suspension without pay beginning _____ and ending at the close of business on _____. During this time period you are not to report to work. You will be placed on suspension without pay for ____ (__) work days or ____ working hours. Discipline is being issued at this level due to the serious nature of your behavior as described below.

Summary of facts leading to suspension without pay

Describe the facts of the situations leading up to the recommendation for suspension.

Why a suspension is warranted

Rule 1 CSR 20-3.070 (2) of the Rules of the Personnel Advisory Board and Personnel Division lists as causes for discipline:

List which policies and Merit System Regulations (found in the Code of State Regulations) were violated. It may also be useful to summarize how the employee's actions were in violation.


You are also in violation of the Department's Conduct and Ethics Policy (1.01) which states:

List which department policies were violated. It may also be useful to summarize how the employee's actions were in violation.

Expectations for future behavior

It is the department's expectation that you will adhere to all department policies and procedures and specifically follow the provisions of the conduct and ethics policy.

You will follow the directives of your supervisor and others in your chain of command at all times.

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Immediate and sustained improvement is expected to continue. Future conduct of the nature stated herein will result in further disciplinary action, up to and including dismissal.

Explain other behaviors that are expected of the employee in the future in response to this disciplinary action.

Opportunity to show reason why your suspension should not occur

This suspension will become effective unless you provide justification for its reversal. You may take the opportunity to provide justification for the suspension reversal by meeting with _____, Deputy Department Director or designee, on _____ at _____ at the Lewis & Clark State Office Building in Jefferson City located at 1101 Riverside Drive. If you do not wish to meet with the Deputy Director at that time, you may respond in writing, delivered to him by the same date and time. If you plan to attend this meeting with the Deputy Department Director, please confirm your attendance with the Human Resources Program within 24 hours of your scheduled meeting.

If you have any questions please contact me at (573) 751-2518.

Sincerely,


DEPARTMENT OF NATURAL RESOURCES

Human Resources Director
Appointing Authority

c: Division Director
 Program, Regional Office Director or District Supervisor
 Employee Supervisor
 OA Director of Personnel
 Employee Relations Director
 Personnel File

This letter of suspension was sent (*certified mail, regular mail, hand delivered*) to _____ by _____ on _____.

Witnessed by _____ Date _____

| | | |
|--|-----------------------|-------------------------|
|  Missouri Department of Natural Resources Administrative Policies and Procedures | | |
| Chapter 1 Employee Relations Discipline Policy | | |
| Discipline Procedures | Effective date | Revised |
| Number: 1.08-01 | March 29, 2002 | January 27, 2014 |

Attachment 7 Template for Letter of Demotion for Cause

Items in italics are prompts or notes to answer. Each letter must be drafted to reflect individual circumstances.

Dear :

Based on the recommendation of your supervisor _____ and with the concurrence of your Division Director _____ you are being issued this official letter of demotion for cause from a _____ to a _____. This demotion will be effective _____. You will be assigned to _____ (*title, salary, unit, section, program, division*). Discipline is being issued at this level due to the serious nature of your behavior as described in this letter.

Summary of facts leading to demotion for cause

Describe the facts of the situations leading up to the recommendation for demotion for cause.

Why a demotion for cause is warranted

Rule 1 CSR 20-3.070 (2) of the Rules of the Personnel Advisory Board and Personnel Division lists as causes for demotion:


List which policies and Merit System Regulations (found in the Code of State Regulations) were violated. It may also be useful to summarize how the employee's actions were in violation.

You are also in violation of the Department's Conduct and Ethics Policy (1.01) which states:

List which department policies were violated. It may also be useful to summarize how the employee's actions were in violation.

Expectations for future behavior

It is the department's expectation that you will adhere to all department policies and procedures and specifically follow the provisions of the conduct and ethics policy.

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|--|-----------------------|-------------------------|
|  Missouri Department of Natural Resources Administrative Policies and Procedures | | |
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| Discipline Procedures | Effective date | Revised |
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You will follow the directives of your supervisor and others in your chain of command at all times.

Immediate and sustained improvement is expected to continue. Future conduct of the nature stated herein will result in further disciplinary action, up to and including dismissal.

Explain other behaviors that are expected of the employee in the future in response to this disciplinary action.

Opportunity to show reason why your demotion for cause should not occur

This demotion for cause will become effective unless you provide justification for its reversal. You may take the opportunity to provide justification for the demotion for cause reversal by meeting with _____, Deputy Department Director or designee, on _____ at _____ at the Lewis & Clark State Office Building in Jefferson City located at 1101 Riverside Drive. If you do not wish to meet with the Deputy Director at that time, you may respond in writing, delivered to him by the same date and time. If you intend on attending this meeting with the Deputy Department Director, please confirm your attendance within 24 hours of meeting with the Human Resources Program.

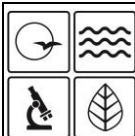
Right to appeal demotion for cause

Pursuant to Section 36.390.5, RSMo, and 621.075, RSMo any employee with regular status may appeal a demotion for cause to the Administrative Hearing Commission (AHC). To appeal, you must file an appeal with the AHC within thirty days after the effective date of the decision. If any such appeal is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date that it is received by the commission. The address where appeals may be sent is: Administrative Hearing Commission, Room 640 Truman State Office Building, PO Box 1557, Jefferson City, Missouri, 65102. The fax number of the AHC is (573) 751-5018 and their phone number is (573) 751-2422. A copy of an appeal form to the Administrative Hearing Commission is enclosed with this letter.

If you have any questions please contact me at (573) 751-2518.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Employee Relations Discipline Policy

Discipline Procedures

Effective date

Revised

Number: 1.08-01

March 29, 2002

January 27, 2014


Human Resources Director
Appointing Authority

Enclosure: Appeal Forms

c: Division Director
 Program, Regional Office Director or District Supervisor
 Employee Supervisor
 OA Director of Personnel
 Employee Relations Director
 Personnel File

This letter of demotion for cause was sent (*certified mail, regular mail, hand delivered*) to _____
by _____ on _____.

Witnessed by _____ Date _____

| | | |
|--|-----------------------|-------------------------|
|  Missouri Department of Natural Resources Administrative Policies and Procedures | | |
| Chapter 1 Employee Relations Discipline Policy | | |
| Discipline Procedures | Effective date | Revised |
| Number: 1.08-01 | March 29, 2002 | January 27, 2014 |

Attachment 8 Template for Letter of Dismissal

Items in italics are prompts or notes to answer. Each letter must be drafted to reflect individual circumstances.

Dear :

Based on the recommendation of your supervisor _____ and with the concurrence of your Division Director _____ you are being issued this official letter of dismissal effective _____ at the close of business. Discipline is being issued at this level due to the serious nature of your behavior as described in this letter below.

Summary of facts leading to dismissal for cause

Describe the facts of the situations leading up to the recommendation for dismissal.

Why a dismissal for cause is warranted

Rule 1 CSR 20-3.070 (2) of the Rules of the Personnel Advisory Board and Personnel Division lists as causes for dismissal:

List which policies and Merit System Regulations (found in the Code of State Regulations) were violated. It may also be useful to summarize how the employee's actions were in violation.


You are also in violation of the Department's Conduct and Ethics Policy (1.01) which states:

List which department policies were violated. It may also be useful to summarize how the employee's actions were in violation.

Therefore, your dismissal is required in the interests of efficient administration and the good of the service will be served thereby.

Opportunity to show reason why your dismissal for cause should not occur

You will be placed on administrative leave with pay from the time of my pre-dismissal meeting with you held _____ until the close of business _____ in order to allow you the opportunity to show cause why this dismissal should not occur.

| | | |
|--|-----------------------|-------------------------|
|  Missouri Department of Natural Resources Administrative Policies and Procedures | | |
| Chapter 1 Employee Relations Discipline Policy | | |
| Discipline Procedures | Effective date | Revised |
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This dismissal will become effective unless you provide justification for its reversal or submit your written request for resignation by the effective date of this letter. You may take the opportunity to provide justification for the dismissal reversal by meeting with _____, Deputy Department Director or designee, on _____ at _____ at the Lewis & Clark State Office Building in Jefferson City located at 1101 Riverside Drive. If you do not wish to meet with the Deputy Director at that time, you may respond in writing, delivered to him by the same date and time. If you plan to attend this meeting with the Deputy Department Director, please confirm your attendance with the Human Resources Program within 24 hours of your scheduled meeting.

Right to appeal dismissal

Pursuant to Section 36.390.5, RSMo, and 621.075, RSMo any employee with regular status who has been dismissed may appeal to the Administrative Hearing Commission (AHC). To appeal, you must file an appeal with the AHC within thirty days after the effective date of the decision. If any such appeal is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date that it is received by the commission. The address where appeals may be sent is: Administrative Hearing Commission, Room 640 Truman State Office Building, PO Box 1557, Jefferson City, Missouri, 65102. The fax number of the AHC is (573) 751-5018 and their phone number is (573) 751-2422. A copy of an appeal form to the Administrative Hearing Commission is enclosed with this letter.

If you have any questions, please contact me at (573) 751-2518.

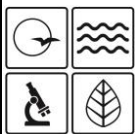
Sincerely,

DEPARTMENT OF NATURAL RESOURCES

Human Resources Director
Appointing Authority

Enclosure: appeal forms

c: Division Director
 Program, Regional Office Director or District Supervisor
 Employee Supervisor
 OA Director of Personnel



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Employee Relations Discipline Policy

Discipline Procedures

Effective date

Revised

Number: 1.08-01

March 29, 2002

January 27, 2014

Employee Relations Director
Personnel File

This letter of dismissal was sent (*certified mail, regular mail, hand delivered*) to _____ by
_____ on _____.

Witnessed by _____ Date _____